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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,349	09/30/2003	William E. Mazzara JR.	GP-304028 2760/134	5776
7590 General Motors Corporation Legal Staff, Mail Code 482-C23-B21 300 Renaissance Center P.O. Box 300 Detroit, MI 48265-3000			EXAMINER PHUONG, DAI	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 01/22/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,349

Applicant(s)

MAZZARA, WILLIAM E.

Examiner

DAI A. PHUONG

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2009.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 6, 8 and 21-32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3, 5-6, 8 and 21-32 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Reply Appeal Brief

1. In view of the Appeal Brief filed on 10/01/2009, PROSECUTION IS HEREBY REOPENED. A new grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below: /Patrick N. Edouard/

Supervisory Patent Examiner, Art Unit 2617

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-6, 8, 21-23 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odinak (Pub. No: 20020143645) hereinafter Odinak 645 in view of Odinak (Pub. No: 20020141547) hereinafter Odinak 547.

Regarding claim 1, Odinak 645 discloses a method for responding to digital vehicle requests, the method comprising:

receiving a voice query at a telematics unit 26 in a vehicle 24 (fig. 1, [0022] and [0027] to [0028]);

converting the voice query to a signal (fig. 1, [0022] and [0027] to [0028]);

wherein transmitting the signal from the telematics unit to a computer-end recipient at a call center node in communication with an information database, wherein the signal is sent to the computer-end recipient at the call center node via a digital packet data protocol over a wireless network (fig. 1, [0022] and [0027] to [0028]);

parsing the signal using the computer-end recipient at the call center node to determine an inquiry (fig. 1, [0022] and [0027] to [0028]);

accessing the information database based on the inquiry (fig. 1, [0022] and [0027] to [0028]);

formulating at least one response to the inquiry using the computer-end recipient (fig. 1, [0022] and [0027] to [0028]);

transmitting the at least one formulated response format via the digital packet data protocol over the wireless network to the telematics unit (fig. 1, [0022] and [0027] to [0028]); and

translating the at least one formulated response to an analog format for playback in the vehicle (fig. 1, [0022] and [0027] to [0028]).

However, Odinak 645 does not disclose converting the voice query to a digital signal.

In the same field of endeavor, Odinak 547 discloses converting the voice query to a digital signal ([0024] to [0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Odinak 645 by specifically including converting the voice query to a digital signal, as taught by Odinak 547, the motivation being in order to transmit voice input from a remote location over a wireless communication system.

Regarding claim 2, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 1. Further, Odinak 645 discloses the method further comprising: optimizing the telematics unit for transmission of the voice query to a computer call center node (fig. 1, [0022] and [0027] to [0028]).

Regarding claim 3, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 1. Further, Odinak 547 discloses the method further comprising: filtering the received voice query before converting it to the digital signal ([0024] to [0028]).

Regarding claim 5, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 1. Further, Odinak 645 discloses the method further comprising: transmitting the signal to the call center using a cellular packet data connection (fig. 1[0022]).

Regarding claim 6, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 1. Further, Odinak 547 discloses the method further wherein transmitting the at least one formulated response via the digital packet data protocol over the wireless network to the telematics unit comprises: transmitting the at least one formulated response in a digital streaming audio format ([0024] to [0028]).

Regarding claim 8, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 1. Further, Odinak 645 discloses the method further wherein transmitting information via the wireless network further comprises transmitting information via an Internet protocol (fig. 1, [0024]).

Regarding claim 21, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 22, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 21. Further, Odinak 645 discloses the method further wherein the digital cellular packet data protocol is the digital cellular 3G packet data protocol (fig. 41, [0018] to [0024]).

Regarding claim 23, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 21. Further, Odinak 547 discloses the method further wherein the step of transmitting the digital signal to a remote computer-end recipient via a digital cellular packet data protocol, further comprises transmitting the digital signal via a digital streaming audio format ([0024] to [0028]).

Regarding claim 27, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 21. Further, Odinak 547 discloses the method wherein the parsing step further comprises transforming the digital signal into computer commands to determine the inquiry ([0024] to [0028]).

Regarding claim 28, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 21. Further, Odinak 645 discloses the method wherein the parsing step and formulating step are automated by the computer-end recipient (fig. 1, [0022] and [0027] to [0028]).

Regarding claim 29, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 21. Further, Odinak 645 discloses the method wherein the presenting step further comprises converting the at least one formulated response to an analog signal and playing the signal as audio through at least one speaker in the vehicle (fig. 1, [0022] and [0027] to [0028]).

4. Claims 24-26 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odinak (Pub. No: 20020143645) hereinafter Odinak 645 in view of Odinak (Pub. No: 20020141547) hereinafter Odinak 547 and further in view of Endo et al. (U.S. 4182989).

Regarding claims 24 and 30, the combination of Odinak 645 and Odinak 547 disclose all the limitations in claim 1. However, the combination of the combination of Odinak 645 and Odinak 547 do not disclose the method further comprising the step of compressing the digital signal prior to the transmitting step to reduce the amount of data transmitted in the data packets from the vehicle to the computer-end recipient.

In the same field of endeavor, Endo et al. disclose the step of compressing the digital signal prior to the transmitting step to reduce the amount of data transmitted in the data packets from the vehicle to the computer-end recipient (col. 18, lines 49-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wireless telephone of the combination of Odinak 645 and Odinak 547 by specifically including the step of compressing the digital signal prior to the transmitting step to reduce the amount of data transmitted in the data packets from the vehicle to the computer-end recipient, as taught by Endo et al., the motivation being in order to transmit a large volume of information.

Regarding claims 25 and 31, the combination of Odinak 645 and Odinak 547 and Endo et al. disclose all the limitations in claim 24. Further, Endo et al. disclose the method further comprising the step of compressing the at least one response (col. 8, lines 59 to col. 9, line 22 and col. 18, lines 49-62).

Regarding claims 26 and 32, the combination of Odinak 645 and Odinak 547 and Endo et al. disclose all the limitations in claim 24. Further, Endo et al. disclose the method wherein the digital signal is compressed with a compression ratio at least twice the compression ratio used to compress the at least one response (col. 8, lines 59 to col. 9, line 22 and col. 18, lines 49-62).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dai A Phuong/
Examiner, Art Unit 2617
Date: 01/04/2009

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2617